

# Notice of Allowability

Application No.

10/765,582

Examiner

Chih-Cheng Glen Kao

Applicant(s)

TOTH ET AL.

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/1/06.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### REASONS FOR ALLOWANCE

1. Claims 1-30 are allowed. The following is an examiner's statement of reasons for allowance.
2. Regarding claim 1, prior art fails to disclose or fairly suggest a method of diagnostic imaging including the steps of comparing a position of a subject in a scanning bay relative to a reference position, determining a region of maximum attenuation of the subject from the comparison, and automatically adjusting an attenuation characteristic of an attenuation filter based on the determined region of maximum attenuation of the subject, in combination with all the limitations in the claim. Claims 2-15 are allowed by virtue of their dependency.
3. Regarding claim 16, prior art fails to disclose or fairly suggest a computer readable storage medium having stored thereon a computer program representing a set of instructions which, when executed by at least one processor, causes the at least one processor to determine a value of mis-centering of a subject to be scanned from a position of maximum attenuation relative to an isocenter of an x-ray beam, and adjust at least one of an attenuation filter configuration and a subject position based on the value of mis-centering, in combination with all the limitations in the claim. Claims 17-23 are allowed by virtue of their dependency.
4. Regarding claim 24, prior art fails to disclose or fairly suggest a tomographic system including a computer programmed to determine a region of maximum attenuation of a subject, and adjust at least one of an attenuation characteristic of an attenuation filter and a table position

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such that a region of minimum attenuation of the attenuation filter is aligned with the region of maximum attenuation of the subject, in combination with all the limitations in the claim. Claims 25-30 are allowed by virtue of their dependency.

### *Drawings*

5. The drawings were received on 2/1/06. These drawings are acceptable.

### *Conclusion*


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gk



**EDWARD J. GLICK**  
**SUPERVISORY PATENT EXAMINER**

TITLE: SYSTEM AND METHOD OF X-RAY FLUX MANAGEMENT CONTROL

INVENTOR(S): Toth et al.

S/N: 10/765,582

Replacement Sheet 1 of 3

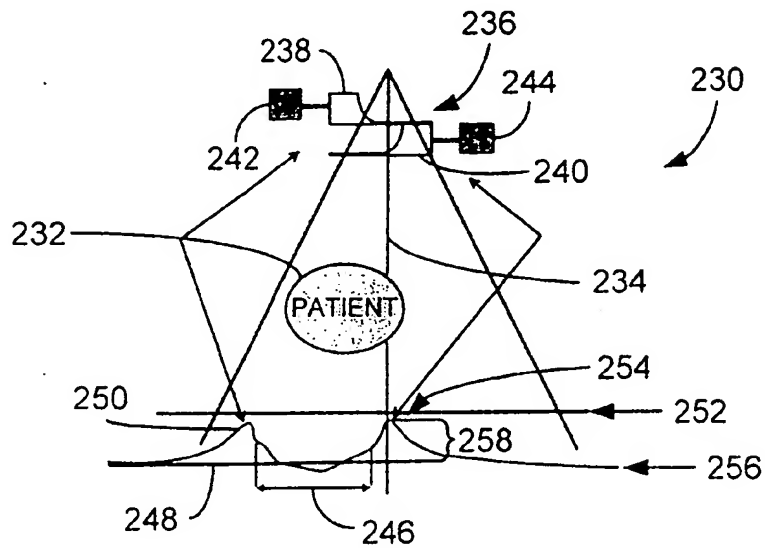


FIG. 10

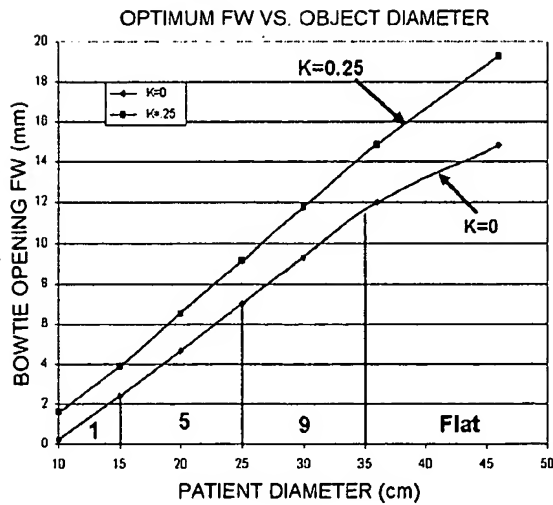


FIG. 12

Q VALUE VS. FW FOR VARIOUS PHANTOMS

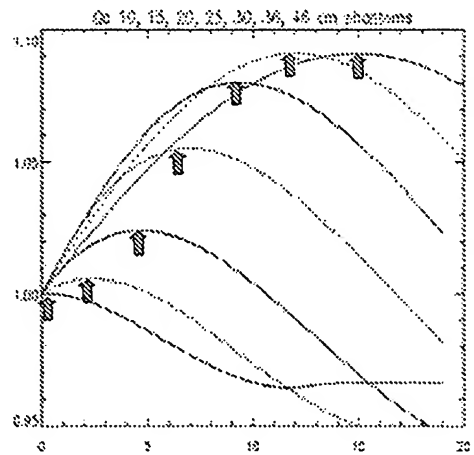


FIG. 13

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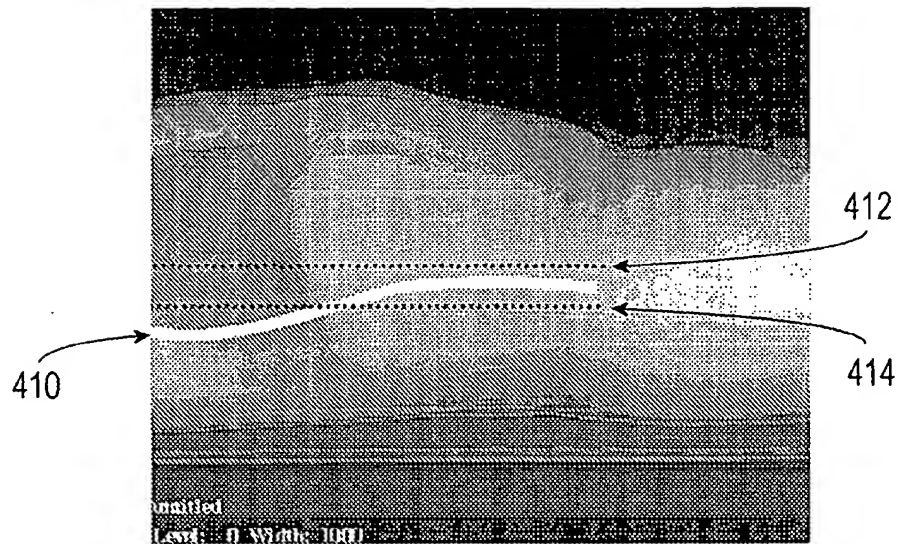


FIG. 14

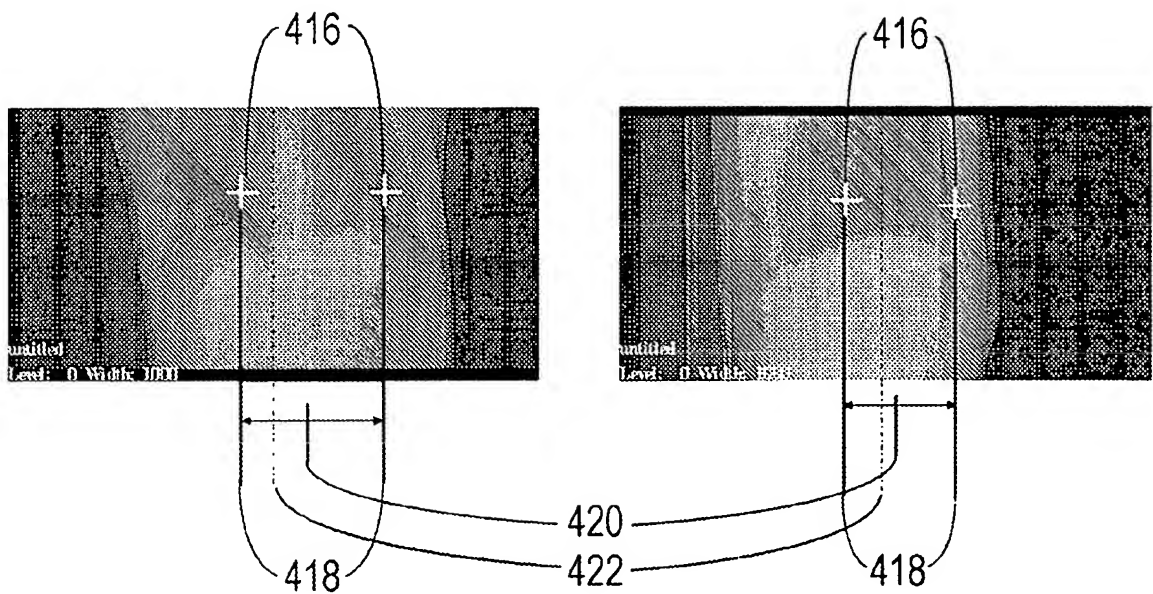


FIG. 15

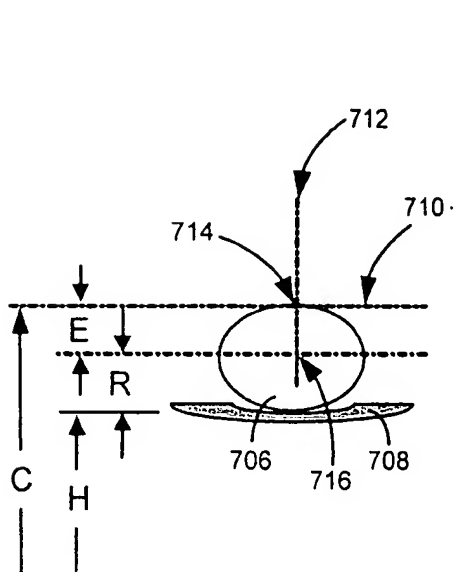


FIG. 18

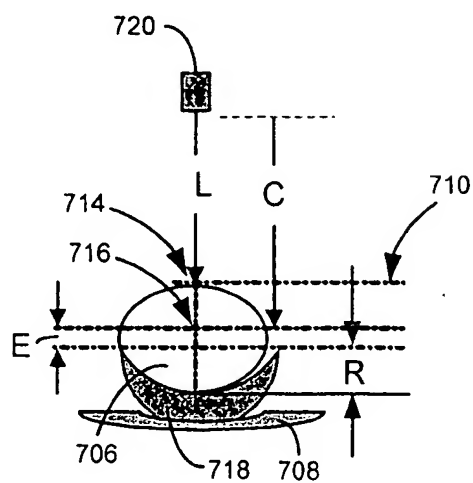


FIG. 19

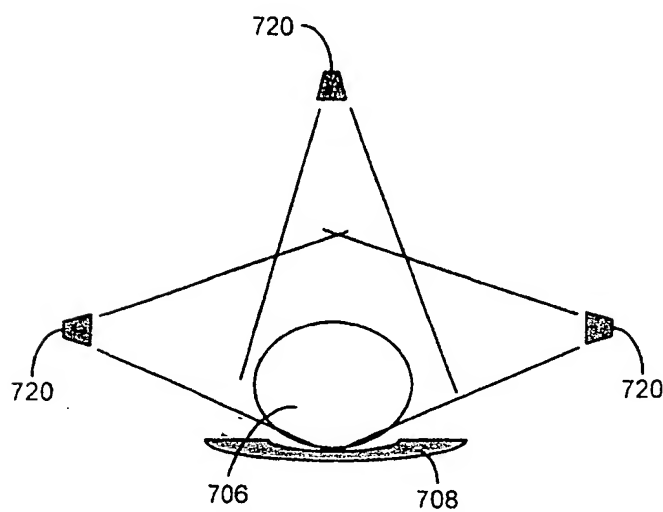


FIG. 20

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2/23/06